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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/442,150	11/18/1999	REINER KRAFT	AM9-99-0095	5474

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EXAMINER

PARTON, KEVIN S

ART UNIT PAPER NUMBER

2153

DATE MAILED: 01/02/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/442,150

Applicant(s)

KRAFT ET AL.

Examiner

Kevin Parton

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-9 and 22-33 is/are allowed.
- 6) ☒ Claim(s) 10 and 17-21 is/are rejected.
- 7) ☒ Claim(s) 11-16 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- ~~10) ☒ The drawing(s) filed on 16 October 2002 is/are:~~ a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 10/16/02 is: a) ☒ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Response to Arguments

1. The applicant argues that none of the references show the use of a “visual abstract.” As claimed, the visual abstract is simply a version of a web page that is in some way a summary that can be viewed. This includes a text based summary, a summary of purely visual relevance, or a mixture of the two. The Downs et al. reference teaches that results are portrayed “graphically” to the user using “color, texture, shape, and other attributes” (column 4, lines 16-20). This is valid to be used as a “visual abstract” as it is a summary of information about the page using text and graphical elements.
2. Regarding claim 19, the applicant argues “Additionally, relative to claim 19...and/or header” (page 8, paragraph 4). The argument is not persuasive because the applicant uses a particular definition of enhancement that may not be clear. The Title shown in the figure of the reference is made the centerpiece of the visual abstract. This is an enhancement of the title in relation to the other portions of the visual abstract that may be indicated using color, size, or other visual clues.
3. Regarding claims 20-21, the applicant argues “Applicants respectfully...of the source document” (page 8, paragraph 5). The argument is not persuasive because the second portion of the document is not defined and could be a visual indicator. The reference shows the title is the largest aspect of the visual representation.
4. Applicant's arguments with respect to claims 10, and 17-21 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 10 and 17-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Downs et al. (USPN 6,070,176) in view of Alexander et al. (USPN 5,986,654).

7. Regarding claim 10, Downs et al. (USPN 6,070,176) teach a system for processing search results obtained in response to a user query, the method comprising:

- a. Examining document pointers returned by a search engine to identify a source from which documents are available (column 3, lines 10-11);
- b. Obtaining said documents from said source (figure 6). Note that the return of results is the return of searched documents.
- c. Generating a visual abstract for each of said documents (figure 3; column 3, lines 6-7), each visual abstract being an image thumbnail formed by manipulating a corresponding source document so as to enhance visibility of at least a first portion of said source document while degrading visibility of at least a second portion of said source document (figure 4; column 3, lines 16-20). Note that the visual representation using colors and shapes constitutes a visual abstract of the page; the figure shows a title for the document. Also, in the reference, the title is predominantly shown with all other data is shown in small text or graphical form.

- d. Formatting a stream of data such that when said data is displayed on a display screen, each visual abstract appears associated with a search result (figure 3).

Note that the data corresponding to the result is visually available.

Although the system disclosed by Downs et al. (USPN 6,070,176) shows substantial features of the claimed invention, it fails to disclose means wherein the visual representation is specifically located adjacent to the location.

Nonetheless, these features are well known in the art and would have been an obvious modification of the system disclosed by Downs et al. (USPN 6,070,176), as evidenced by Alexander et al. (USPN 5,986,654).

In an analogous art, Alexander et al. (USPN 5,986,654) disclose a system for the display of links along with visual “iconic” representations. The system presents the visual representation adjacent to the location of the link (figure 4). Note that while this is not a search result specifically, the application is in the same field of endeavor and it could easily be applied to the system of Downs et al. (USPN 6,070,176).

Given the teaching of Alexander et al. (USPN 5,986,654), a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Downs et al. (USPN 6,070,176) by employing the display of the visual representation adjacent to a textual search result. While the system of Downs et al. (USPN 6,070,176) relies on a visual representation of distance to show relevance, it is obvious that adding information to the screen could aid users in finding the correct site. The addition of data adjacent to a visual representation is well known in the art and provides the benefit of allowing users to see a purely visual cue from which more detailed information can be gleaned by reading the text.

8. Regarding claim 17, Downs et al. (USPN 6,070,176) teach all the limitation as applied to claim 10. They further teach means wherein said manipulating is performed by filtering said source document (column 3, lines 3-20; column 8, lines 13-15). Note that in the reference, different attributes of the document can be

9. Regarding claim 18, Downs et al. (USPN 6,070,176) teach all the limitations as applied to claim 17. They further teach means wherein filtering is performed on an image in the source document (column 3, lines 3-20; column 8, lines 13-15). Note that the reference treats all parts of a document and would filter out images.

10. Regarding claim 19, Downs et al. (USPN 6,070,176) teach all the limitations as applied to claim 10. They further teach means wherein the first portion of the source document corresponds to one of a title and a heading of the source document (figure 3; figure 6). Note that although only title is shown, header information would be a simple change to the layout generator.

11. Regarding claim 20, Downs et al. (USPN 6,070,176) teach all limitations as applied to claim 19. They further teach means wherein one of the title and the heading is enlarged as compared with said second portion of said source document (figure 3).

12. Regarding claim 21, Downs et al. (USPN 6,070,176) teach all the limitation as applied to claim 10. They further teach means wherein the second portion of the source document corresponds to a body of text of the source document (column 3, lines 3-20). Note that in the reference all information other than the title is compressed either textually or graphically.

Allowable Subject Matter

13. Claims 1-9, and 22-33 are allowed.

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14. Claims 11-16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Parton whose telephone number is (703)306-0543. The examiner can normally be reached on M-F 8:00AM - 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached on (703)305-4792. The fax phone numbers for the organization where this application or proceeding is assigned are (703)746-9242 for regular communications and (703)746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-3900.

Kevin Parton
Examiner
Art Unit 2153

ksp
December 20, 2002


MOUSTAFA M. MEKY
PRIMARY EXAMINER